

31st May 2018

Dear Sir,

**USE OF APPROXIMATELY 7 ACERS OF AGRICULTURAL LAND TOGETHER
WITH EXISTING MODERN FARM BUILDING AS FARM EDUCATION AND
ACTIVITY CENTRE TOGETHER WITH THE ERECTION OF A TOILET BLOCK,
CONSTRUCTION OF ACCESS ARRANGEMENTS AND ANCILLARY PARKING
CAE BACH, ELLESMERE ROAD, BRONINGTON, WREXHAM**

Thank you for consulting Natural Resources Wales about the above, which was received on 14th May 2018.

We recommend that you should only grant planning permission if you attach the following conditions. These conditions would address significant concerns that we have identified and we would not object provided you attach them to the planning permission.

Condition: All Great Crested Newt avoidance and mitigation measures described in the Extended Phase 1 Habitat Survey being set out in a method statement, and fully implemented.

Protected Species

The ecological submission (reference: Worsfold, S. (2018). Extended Phase 1 Habitat Survey of Land at Cae Bach, Bronington, Whitchurch). Worsfold & Bowen. Unpublished) is satisfactory for the purposes of informing the planning decision making process.

We note that the ecology report submitted in support of the above application (reference: Worsfold, S. (2018). Extended Phase 1 Habitat Survey of Land at Cae Bach, Bronington, Whitchurch). Worsfold & Bowen. Unpublished) has identified the likelihood of great crested newts (GCN) being present at the application site.

GCN's and their breeding sites and resting places are protected under the Conservation of Habitats and Species Regulations 2017. Any development that would contravene the protection afforded to GCN's under the Regulations would require a derogation licence issued by Natural Resources Wales. A licence may only be authorised if:

- i. There is no satisfactory alternative and

- ii. The action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in its natural range. In addition,
- iii. the development works to be authorised must be for the purposes of preserving public health or safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequences of primary importance for the environment.

Paragraph 6.3.7 of Technical Advice Note 5: Nature Conservation and Planning (TAN5) states that your Authority should not grant planning permission without having satisfied itself that the proposed development either would not impact adversely on any GCN's on the site or that, in its opinion, all three conditions for the eventual grant of a licence are likely to be satisfied.

Subject to implementation of the proposed reasonable avoidance measures, we do not consider that the proposal is likely to harm or disturb GCN's or cause damage or destruction to their breeding sites and resting places at this site. We consider the proposal is not likely to be detrimental to the maintenance of the favourable conservation status of the local population of great crested newts.

Therefore, we do not object to the proposal, subject to all avoidance measures described above being set out in a method statement and secured through the inclusion of suitable planning conditions or obligations ((e.g. Section 106 agreement).

Condition: All Great Crested Newt avoidance and mitigation measures described in the Extended Phase 1 Habitat Survey being set out in a method statement, and fully implemented.

This advice applies to the proposal in its present form. Please consult us again if the plans are changed in ways that may harm or disturb GCN's or their breeding sites and resting places at this site.

Please also note that any changes to plans may affect the need for a licence from Natural Resources Wales.

NRW would refer the Planning Authority to the letter from the Welsh Government to Chief Planning Officer's dated 01 March 2018 which advises Local Planning Authorities to attach an informative regarding licence requirements to all consents and notices where European Protected Species are likely to be present on site

Foul Drainage

Government policy states that, where practicable, foul drainage should be discharged to the mains sewer. Where this is not possible and private sewage treatment / disposal facilities are utilised, they must be installed and maintained in accordance with British Standard 6297 and Approved Document H of the Building Regulations 2000. You should also have regard to Welsh Office Circular 10/99 in respect of planning requirements for non-mains sewerage.

The written consent of NRW or registration for exemption by the developer will be required for any discharge e.g. foul drainage to a watercourse/ditch etc, from the site

and may also be required for certain categories of discharges to land. All necessary NRW consents, or exemptions must be obtained prior to works progressing on site.

You will need to apply for a Permit or Exemption, if you wish to discharge anything apart from uncontaminated surface water to a watercourse/ditch. You may also need to apply for a Permit from our National Permitting Team to allow certain discharges into ground. You must obtain any necessary Permit prior to works starting on site. The Welsh Government has also advised that all septic tanks and small sewage treatment plant discharges in Wales will need to be registered. More information, including a step by step guide to registering, is available on our website www.naturalresourceswales.gov.uk / www.cyfoethnaturiolcymru.gov.uk

Please do not hesitate to contact us if you require further information or clarification of any of the above.

Our comments above only relate specifically to matters that are included on our checklist "Natural Resources Wales and Planning Consultations" (March 2015) which is published on our website:

(<https://naturalresources.wales/media/5271/150302-natural-resources-wales-and-planning-consultations-final-eng.pdf>). We have not considered potential effects on other matters and do not rule out the potential for the proposed development to affect other interests, including environmental interests of local importance.

Advice for the Developer:

Any waste excavation material or building waste generated in the course of the development must be disposed of satisfactorily and in accordance with Section 33 and 34 of the Environmental Protection Act 1990. Carriers transporting waste from the site must be registered waste carriers and movement of any Hazardous Waste from the site must be accompanied by Hazardous waste consignment notes.

The applicant should be advised that, in addition to planning permission, it is their responsibility to ensure that they secure all other permits/consents relevant to their development.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'R Prichard', enclosed within a thin blue rectangular border.

Ruth Prichard
Development Planning Advisor